HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 843(S/S)2004

Asoju Lal S/o Sri Gulab Lal,
R/o village Juguna Bhandarshun,
Tehsil Dunda, District Uttarkashi. ---- Petitioner.

Vs.

1. State of Uttaranchal through the Secretary,
   Revenue Department, Govt. of Uttaranchal, Dehradun,
2. District Magistrate, Uttarkashi,
   District Uttarakashi. ----Respondents.

Sri P.C. Jhingan, learned counsel for the petitioner,
Learned Standing Counsel for State of Uttaranchal.

Hon'ble M.M. Ghildiyal, J.

Heard Sri P.C. Jhingan, learned counsel for the petitioner and learned Standing Counsel for the State of Uttaranchal/ respondents.

2. By means of this writ petition, the petitioner has prayed for the following reliefs:-

i. Issue a writ, order or direction in the nature of mandamus commanding the respondents to reappoint the petitioner on the post of Seasonal Collection Peon in the selection establishment of District Uttarkashi properly in Tehsil Dunda, district Uttarkashi,

ii. Issue any other order or direction, which be deemed fit and proper under the facts and circumstances of the case in favour of the petitioner,

iii. Award cost of the writ petition to the petitioner.

3. The petitioner claims that he belongs to Scheduled Caste community. On 28.03.1996 a selection for the post of Seasonal

Collection Peon was held by a Departmental Selection Committee in the establishment of district Uttarkashi and the petitioner was placed at serial no. 6 in the waiting list. Vide order dated 26.04.1996 passed by the District Magistrate, Uttarkashi, the petitioner was appointed against the leave vacancy in the district office of respondent no. 2. Again vide order dated 07.08.1996 passed by the District Magistrate, Uttarkashi, the petitioner was provided appointment on Class IV post at Dunda, against a vacant post. However vide order dated 23.12.1997 passed by the Sub Divisional Magistrate, Dunda, district Uttarkashi the services of the petitioner were terminated. Thereafter, the petitioner has moved application before the District Magistrate, Uttarkashi with the request that he may be reappointed on the post of Seasonal Collection Peon, but the District Magistrate did not paid any heed towards his grievances.

4. The impugned termination order is simplicitor in nature. Considering upon the facts and circumstances of the case, I do no find any merit in the case. The writ petition is liable to be dismissed.

5. Accordingly, the writ petition is dismissed. No order as to costs.

(M.M. Ghildiyal, J.)

May 17, 2006:
NCM: